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Hume, Virtue and Natural Law

Thomas Pink

Abstract

Evaluations of people as good and bad can be based on criteria of excellence that come with arts and skills; someone can be esteemed as a great writer, or disregarded as bad at mathematics. Evaluations of people as good and bad can also occur within morality, when people are appraised as virtuous or vicious, as morally good or bad.

David Hume made evaluation of people as good or bad central to his ethics, which he described as concerned with the nature of personal merit – the appraisal of people as good and bad. He denied that there was more than a verbal difference between virtue, or moral goodness, and talent, or goodness in relation to arts and skills. Hume used merit to construct a new theory of moral normativity – one that detached moral normativity from reason, and that explained it instead in terms of good and bad.

Hume's concern with merit was shared by the earlier natural law tradition. But in this tradition appraisal of people as good and bad was used not to detach normativity from reason, but to explain how reason could within morality take a distinctive form – the form of a specifically moral law that governs something peculiarly central to the moral life, the exercise of freedom as a power to determine for ourselves how we act.

So is merit or personal admirability central to understanding moral normativity? And does merit in its moral form unite morality with arts and skills, or distinguish morality from them? And is merit something that detaches moral normativity from reason, or something that explains how moral standards might take the form of standards of reason?

The paper argues that Hume was importantly right that merit or personal admirability takes a similar form in both morality and arts and skills, though there is widespread illusion to the contrary. Both in morality and in arts and skills it involves appraisal of people in relation to various forms of potential and its realization. Central to merit generally is human self-realization. Only because moral merit shares this common form with merit in relation to arts and skills is it possible for moral normativity to occur as law in the way that the earlier natural law tradition supposed.

But moral merit is also distinctive, and not just through helping constitute a normativity of law. In particular, the distinction between good and bad takes on a very special significance within morality – a significance that can be appreciated without appeal to ideas of law and self-determination, and a significance that in assimilating virtue completely to talent Hume ignored.

Hume, Virtue and Natural Law

Thomas Pink

1. The idea of natural law

Natural law is moral normativity in the form of law – in a form that, in moral obligation, directs us in a way that is recognizably legal by imposing demands on how we act. These directive demands apply to us, and we are responsible for meeting them, not just as contingently subject to a particular jurisdiction or authority, but as subject to morality itself. This moral normativity of law applies to and directs us just in virtue of our human nature.

A normativity of law is distinct from the normativity of reason in its general form.¹ The normativity of law is demanding in a way that ordinary standards of reason are not; and it is directive only of action and omission and what depends on these, as ordinary standards of reason are not. This is because there are capacities in human nature that go beyond the mere capacity for reason, and that are of ethical significance; and natural law presupposes and directs these capacities, and not the exercise of reason alone. Beyond reason, natural law presupposes and directs a capacity for self-determination – a power to determine our actions for ourselves, which bases a special, moral responsibility for how we act. Natural law also directs the exercise of a particular capacity for what Hume termed *merit* – for personal admirability or being good as opposed to bad. Natural law is a law that it is bad – morally bad – of us to disregard. It is merit or personal admirability and its significance for moral theory that is to be our subject here.

Modern virtue theory has often taken the morality of moral admirability – of virtue and vice – to be quite different from the morality of obligation or duty. On this virtue-theoretic view, moral obligation is supposed to involve various features taken from positive law which seem inessential or even alien to a morality of virtue and vice. Moral obligations are thought to come with forms of enforcing sanction or pressure, as an informal analogue of punishment under positive law, and as standards of moral admirability need not.² Or moral obligation is alleged to address the voluntary – actions that depend on our will or motivation so to act – whereas virtue has to do with motivations (of love or concern for others, courage and the like) that we

¹ For a general discussion of the idea of a normativity of law, see Thomas Pink ‘Law and the normativity of obligation’ *Jurisprudence*, 5, (2014) pp1-28

² See Bernard Williams, *Ethics and the Limits of Philosophy* (Fontana, 1985) chapter 10 ‘Morality, the Peculiar Institution’ pp174-96.

cannot adopt or abandon at will, such as just in order to avoid sanctions.³ Or moral obligations are thought to presuppose a moral law-giver such as God, as virtue and vice do not.⁴ The morality of obligation or duty is sometimes supposed to be so distinct and separate from the morality of virtue and vice that the idea of moral obligation could sensibly be given up, while the ideas of virtue or vice were still retained.

Hume opposed such attempts to model moral obligations on obligations under positive law. Moral obligation for Hume was not separate from the morality of virtue and vice, but part of it. Moral obligation, for Hume, is a standard that it is bad of us to breach, a standard that primarily applies to motivations that are non-voluntary and not to voluntary actions at all. Hume did further deny that moral obligation is any form of law at all – even a form of law that is natural rather than positive. But his view that moral obligation comes as part of a more general morality of virtue and vice, and is not a detached and quite separate part of morality, was still one he shared with the medieval and early modern natural law tradition.

According to this tradition moral law is indeed part of a more general morality of virtue and vice – of personal admirability in moral terms. Moral law is the morality of virtue and vice in legal form, as directing a capacity for freedom or control – a capacity exercised in and through action and omission. Moral obligations are directives that, through our freedom, we have a special, moral responsibility to meet - and that it is morally bad of us to breach. Moral law can perfectly well exist in this form – as directives that it is bad to breach - without any of the apparatus of legal positivity, such as legal officials and enforcement through sanctions. For many natural lawyers, moral law could even exist without legislation by a moral law-giver, such as commands of God:

Since even if God never gave any command about the matter, it would still be bad to kill a human being without reason, to show contempt for one's superiors, or to expose oneself to clear danger of death, therefore even if natural law did not do so by way of any particular commandment given by God, natural law would still forbid such actions.⁵

In particular natural law was certainly not restricted to direction of the voluntary. Our admirability in moral terms does indeed depend on motivations, such as concern for others, that we cannot form or abandon at will to suit our purposes – such as in order to gain rewards or avoid sanctions. But, the natural lawyers supposed, we do still control these motivations, as dispositions of the will itself, through the exercise of self-determination as freedom. It is of course a puzzle how freedom and control is possible of motivations that are not voluntary – that we cannot form or remove from ourselves at will.⁶ Hume certainly did not believe in a

³ See again Bernard Williams, *Ethics and the Limits of Philosophy*, chapter 10.

⁴ Elizabeth Anscombe, 'Modern Moral Philosophy' in Roger Crisp and Michael Slote (eds), *Virtue Ethics* (Oxford University Press, 1997) pp26-44

⁵ John Punch, commentary on Scotus on the decalogue, *distinctio* 37 in Duns Scotus, *Opera Omnia*, volume 7, ed. Luke Wadding (Lyons, 1639), pp857-77

⁶ The nature of freedom as a form of self-determination and its relation to voluntariness are discussed in Thomas Pink 'Law and the normativity of obligation' pp5-8, and in *Self-Determination (The Ethics of Action*, volume 1) (Oxford University Press, forthcoming).

power of freedom exercised over motivations that are non-voluntary, which is one reason why he did not believe in natural law. In his view, moral obligation governed motivation, not as a demand directive of free will or free decision, but as a standard of admirability on mere passion – of motivation conceived in entirely passive form. But Hume did still share with natural lawyers one important view – that moral obligation is a standard of merit or admirability, and that this is fundamental to the normativity which moral obligation involves. The normativity of obligation takes the form of a call on us to be good rather than bad. Sidelineing all the issues and puzzles about self-determination, it is this shared view of moral normativity as concerned with merit – with being good or bad - that we must now consider.

Hume's conception of morality and the normativity it involves has been the object of much criticism. Especially controversial is his denial that the call of morality on us is the call of reason. Hume denied that breach of moral obligation is unreasonable. Reason, for Hume, had nothing to do with morality's call on us to be good rather than bad.⁷ Controversial too is his claim that the distinction between virtue and talent is merely verbal – his assimilation of moral admirability to admirability in relation to non-moral arts and skills.⁸

I shall agree that both these Humean doctrines are exaggerated. Moral normativity does involve reason in some form; and the distinction between virtue and talent is not wholly verbal. But nevertheless there is much to be learnt from Hume's account of moral normativity. Hume was right to see that moral normativity is fundamentally a normativity of merit or personal admirability. And he was also right that virtue and talent have much in common, and that this is vital to understanding moral normativity. In particular, as we shall see, virtue and talent equally involve capacities for self-realization, and as such are subject to appraisal in the same way. Though Hume denied the existence of law in moral form, his insight that moral admirability is like admirability in respect of arts and skills is in fact essential to explaining how moral law is possible. Merit in its moral form can constitute a normativity of law only because just as much as merit in relation to arts and skills, moral merit likewise has to do with self-realization.

2. Normative direction and the role of merit

Standards that are normative make a call on us to meet them, and serve as a basis of criticism of those who ignore this call and breach the standards. In contemporary philosophy it is often assumed that the call is that of reason:

Aspects of the world are normative in as much as they or their existence constitute reasons for persons, that is, grounds which make certain beliefs, moods, emotions, intentions, or actions appropriate or inappropriate.⁹

⁷ David Hume, *A Treatise of Human Nature*, P.H. Nidditch (ed) (Clarendon Press, 1978) p458

⁸ David Hume, *An Enquiry Concerning the Principles of Morals*, P.H. Nidditch (ed) (Clarendon Press, 1975), appendix iv, 'Of some verbal disputes', p322

⁹ 'Explaining normativity: on rationality and the justification of reason' in Joseph Raz, *Engaging Reason*, (Oxford: Oxford University Press, 1999), p66

Hume, by contrast, denied an identity between normativity and reason by appealing instead, in the practical sphere, to good and bad. Where motivations and actions and standards on these are concerned, the call of normativity is not to be reasonable, but to be good or admirable. Key to the normativity of standards on motivation and action, moral standards included, is not that the person who breaches them is unreasonable, but that the person who breaches them is contemptible or bad. Normativity in the practical sphere is to be identified not with reason but with merit - with standards of personal admirability.

People can of course be admired for qualities that are other than moral, and that, on any view, are clearly not a function of the exercise of their reason. They can be admired as great singers, or for their ability to charm or for their sporting prowess. Hume's theory of merit claims that moral appraisal of the person is just one form of such appraisal of people for their capacities – an appraisal that extends beyond the moral and beyond the exercise of reason. In respect of their normativity, moral standards are just the same as standards of good and bad that arise outside morality, and that arise in relation to capacities other than the capacity for reason. As far as the theory of normativity is concerned, virtue or moral goodness is only verbally distinct from general talent.

Modern theories of normativity have generally ignored Hume's project of replacing reason with merit. There is an obvious reason for this. Hume's appeal to merit notably fails to provide any account of something essential to normativity in the moral sphere at least - normative direction.

Moral standards certainly are used as a basis of appraisal of people and their actions as good or bad in moral terms, and this is central to Hume's understanding of them. But moral standards also direct, pointing us to and supporting some attitudes and actions and opposing others, and in so doing they address a capacity on our part to respond to that direction. Essential to our being answerable to moral standards is a genuine capacity on our part to understand and respond to them as providing us with directive guidance - a guidance that we are to follow. Any credible theory of moral normativity must therefore provide us with a theory of how moral standards direct us, and of the nature of our capacity to respond to that direction.

A theory of normativity as reason seems to supply the needed theory of direction. In fact a theory of direction appears to be the very first thing that such a theory provides. Rational standards give us direction in the form of justifications - justifications which immediately attach to objects of thought, and which support or oppose us forming various attitudes towards those objects of thought. Actions that are voluntary, that depend on a motivation or will on our part to perform them, such as crossing the road or giving money, are no exception. They are responsive to normative direction because they are motivated by attitudes of decision and intention – attitudes by which we respond to the thought of their performance as desirable, or as goals to be attained.

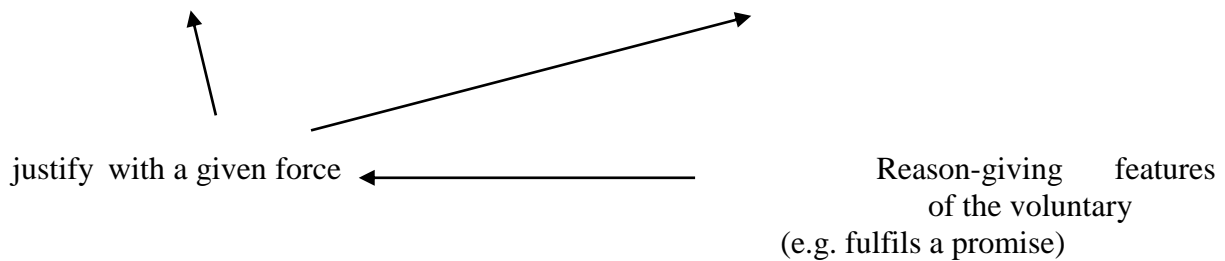
It is objects of thought specifying options by way of voluntary action that we consider when deliberating prior to deciding what to do. One such option might be giving money to someone else; another that we keep the money ourselves. These voluntary actions may contain features that are reason-giving – that justify so acting. Thus handing the money over might fulfil a promise, and this feature of it might justify handing the money over. But if so, then the feature will also provide the same justification and support for becoming motivated to hand the money over – for deciding so to act.

Motivation

Deciding/ intending to give the money

Voluntary action

Giving the money



For our immediate response to justifications for voluntary action is at the point of motivation, when we decide or become motivated to perform the voluntary action justified. Unless justifications for voluntary actions also give the same support for the motivation to perform those actions, they can hardly move us to act as they justify. In the practical sphere as much as any other, the directive force of reason comes from objects of thought, and immediately justifies the formation of attitudes directed at those objects.

It seems that without this theory of reason and the capacity to respond to it, we lack any theory of normative direction. Certainly Hume failed to provide an alternative form of such a theory. It is part of Hume's attack on the appeal to a practical or motivation- and action-governing reason in normative theory that motivations are not directed at justification-bearing objects of thought (as the appeal to practical reason so crucially assumes they are). Motivations or passions are simply contentless feelings:

When I am angry, I am actually possest with the passion, and in that emotion have no more a reference to any other object, than when I am thirsty, or sick, or more than five foot high.¹⁰

Motivations can be caused in us, as they can themselves have effects, and they can be described, as if they were object-directed, in terms of these causes and effects. But a motivation being caused in us is not the same as its being formed in response to some normative call on us to form it. For that we need a theory not of efficient causation, but of normative direction, and of how our motivations are responsive to that direction. And that seems to demand a theory of objects of thought as bearing justifications and of those justifications moving the formation of attitudes directed at them.

Ethical rationalism is a doctrine about normativity that is opposite to Hume's reason-scepticism. Ethical rationalism claims that moral normativity can be understood just in terms of a general normativity of rational direction provided by justifications; and that the capacity addressed by such justifications can similarly be understood simply as a general capacity for reason – a capacity to respond to such direction through the formation of psychological attitudes. Moral appraisal of people is just another case of the general appraisal of people as reasonable or unreasonable – as disposed to respond to rational justifications or disregard them.

¹⁰ Hume, *Treatise*, p415

But this seems insufficient account of moral normativity and our capacity to respond to it. For morality contains moral obligations or duties. Now moral obligations certainly are directive. They direct us to do what is right, and to avoid doing what is wrong. But the particular way that moral obligations are directive cannot easily be explained just in terms of the general idea of rational direction and of a capacity to respond to that direction.

One problem, which I have already mentioned and that I have discussed elsewhere, has to do with the distinctive, moral responsibility that we have for meeting moral obligations – a responsibility that presupposes a capacity for self-determining freedom as mere rational accountability does not.¹¹ But this is not our subject here. Our subject is another problem for ethical rationalism and is to do with the direction provided by obligations. This direction is distinctively demanding. If an action is obligatory we *must* perform the action; its performance is mandatory.

Now rational direction in general takes a rather different form. Take evidence that justifies belief. Rational direction to believe one thing and not another involves what we might term the force of recommendation or advice – the force that it is sensible to respond to, foolish or less than sensible to disregard. It is sensible to hold beliefs that are supported by the evidence, foolish to hold beliefs that the evidence opposes. The practical sphere is little different. Outside specifically moral contexts justifications for action similarly recommend or advise. It is sensible to act in ways supported by reason, foolish to act in ways that reason opposes.

But the directive demand that moral obligation involves certainly does not come to the obligatory action's performance being markedly advisable, the failure to perform it foolish. For much wrong-doing is not obviously foolish at all. We are all familiar with courses of action that are clearly foolish or less than sensible – that reason opposes with the force of recommendation. For example, we know what it is for an action to be self-defeating – to be clearly liable to frustrate the goal it aims at. Or consider actions in which effort and resources are applied, perhaps even altruistically applied, but without any prospect of proportionate benefit to anyone, the agent or another. Intuitive folly can take a variety of forms: including straightforward practical inconsistency, simple choice of ineffective means, various forms of imprudence and rashness, the charmingly or tragically Quixotic, and of course the failure to aim at any intelligible or worthwhile good at all. But actions that are clearly wrong need not be like this at all. These actions may involve well-chosen means, and aim at ends involving clear benefit to the agent or another, whatever costs might be imposed on third parties. The agent's performance of them may make perfect sense as foolish action by its nature does not, while still being evidently wrong. Of course it is easy to think of deeds that are foolish or stupid as well as wrong. But such a combination is that – a coming together of distinct characteristics that can perfectly well be exemplified apart.

The difference between obligatoriness and advisability, even advisability that is overwhelming, is not to do with normative direction alone. To point out that an action is obligatory is directly to support the performance of that action and oppose any other. But the same is true of pointing out that an action is the only sensible option. In both cases we are subject to serious criticism if we disregard the direction provided. The difference lies in the nature of the criticism, with the involvement in the case of obligation of a distinctive form of negative

¹¹ For the importance of self-determination to normative theory, and for Hobbes's attack on the natural law tradition's appeal to self-determination, see Thomas Pink, 'Law and the normativity of obligation' pp23-4

evaluation – the criticism made in moral blame. We are criticised not as foolish or as less than sensible, but as bad. Blame for breach of obligation expresses disesteem for the person and what they have done that parallels disesteem for people and their defective performances in relation to non-moral arts and skills. Morality is a practice that comes with standards of good and bad, and in this it resembles other practices that depend on talent, and that also distinguish good from bad. In both cases criticism takes the form of a negative evaluation of the person and their performance.

Hume claimed that ‘Laudable or blameable...are not the same with reasonable or unreasonable.’¹² This is obviously true of merit in the general case. Many admirable talents or their lack have nothing to do with reason or deficiencies in reason. But even in relation to morality it seems that moral blameability cannot be reduced to unreasonableness of a general kind. If breach of moral obligation involves a criticizable failure to respond to justifications, and in that respect constitutes a failure of reason – a form of unreasonableness - the nature of the failure cannot be further specified without appeal to a peculiarly moral demerit. It is a failure to respond to justifications for which one counts not as foolish or less than sensible, but as morally bad.

To make sense of the normative direction provided by moral standards, and specifically by moral obligation, we have to appeal, it seems, to a form of reason – to direction given through justificatory features attaching to voluntary actions as objects of our thought. But there is a distinctive force attaching to the justification provided. At the heart of moral normativity, just as Hume supposed, is a normativity of personal merit. We are called to help others and not harm them in that it would be good of us to help others, bad of us to harm them. And this justificatory force of merit applies to motivations too, and that is how it moves us. Just as it would be good of us to help and bad of us to harm, so it would be good of us to be motivated to help, bad of us to be motivated to harm.

3. Moral goodness and the voluntary

The obligatory, then, is what is justified with a distinctively moral force – the force of merit and demerit. As we have just noted, like the force of any justification the force of merit applies at two points. It applies at the point of voluntary action, to the performance of which, in virtue of its reason-giving features, we are normatively directed. And it applies to our motivations – to the attitudes on the basis of which we act voluntarily, and through which we respond to the voluntary action’s performance as a desirable goal. Hence that familiar aspect of moral obligation as it is conceived in the natural law tradition. Moral obligations apply to and bind not only voluntary action but also the motivation so to act – a motivation that in so far as obligation is action-governing law, must itself arise through action, through a self-determined decision to act. To explain a natural law of obligation on motivation, we need a very distinctive view of motivation as a locus of self-determined agency – as constituting a free will.¹³

But basing obligation on a normativity of merit also puts constraints on our conception of merit, and in a way that involves problems of an opposite kind - problems that have to do not with

¹² Hume *Treatise* p458

¹³ See Thomas Pink ‘Moral obligation’ in ed. A. O’Hear, *Modern Moral Philosophy* (Cambridge University Press, 2004) pp159-86

obligations on motivation but with obligations on the voluntary. We are not simply obligated not to intend harming others. We are obligated not to harm them; and it is only because we are obligated not to harm them that we have the same justification for not being motivated to harm them. Now the force of obligation is that of merit – we are obligated to do what it would be bad of us not to do. But if what we are obligated to, fundamentally, is the performance or omission of voluntary action, how we act voluntarily must be relevant to our admirability in moral terms. Our admirability in moral terms must depend not just on our motivations, but also on what we do at the point of the voluntary. Over and above being motivated to harm others, actually harming them must involve moral demerit. Indeed it is only because the voluntary action of actually harming someone brings demerit with it that simply being motivated to harm them brings demerit with it too.

But here we meet a problem. Many moral theories reject the claim that moral admirability has anything to do with what we do voluntarily. All moral admirability lies in motivation or character alone. It is unaffected by what voluntary actions we perform and what outcomes we produce on the basis of that motivation. We find this view in Kant, as the moral worth of the good will:

A good will is not good because of what it effects or accomplishes, because of its fitness to attain some proposed end, but only because of its volition, that is, it is good in itself and, regarded for itself, is to be valued incomparably higher than all that could merely be brought about by it in favor of some inclination and, indeed, if you will, of the sum of all inclinations. Even if, by a special disfavour of fortune or by the niggardly provision of a stepmotherly nature, this will should wholly lack the power to carry out its purpose - if by its greatest efforts it should yet achieve nothing, and only the good will were left (not, of course, as a mere wish, but as the summoning of all means insofar as they are in our control) - then, like a jewel, it would still shine by itself, as something which has its full worth in itself.¹⁴

But we find the view in many other writers too. And this sometimes impels theories that explain moral obligation as a kind of merit standard to deny the existence of moral obligations on voluntary action itself, or to deny at any rate that such obligations are in any way distinct from and explanatory of obligations on prior motivation. We can find cases of this denial in the natural law tradition. In Abelard's *Ethica*, for example, we have a notorious example – a reconstruction of the Decalogue into a set of obligations exclusively on the will. We are no longer under an obligation not to kill, but only under an obligation not to decide or intend to kill.

If we carefully consider also all the occasions where actions seem to come under a commandment or a prohibition, these must be taken to be the will or consent to actions rather than to the actions themselves, otherwise nothing related to merit would be put under a commandment...¹⁵

We also find the denial of distinct moral obligations or duties on the voluntary in Hume. Duties to care for children are really to be understood as duties to have affection for them, for it is that affection that determines our moral admirability. Voluntary action itself is irrelevant to merit.

¹⁴ Kant *Groundwork of the Metaphysics of Morals* AK4:394, in tr. and ed. Mary J. Gregor *Practical Philosophy* (Cambridge University Press, 1996) p50 in *The Cambridge Edition of the Works of Immanuel Kant*.

¹⁵ Peter Abelard *Ethica* ed. and tr. David Luscombe (Oxford: Clarendon Press 1971) p25

If any *action* be either virtuous or vicious, 'tis only as a sign of some quality or character...Actions themselves, not proceeding from any constant principle, have no influence on love or hatred, pride or humility; and consequently are never consider'd in morality.¹⁶

So the duty is to possess a motivation of affection for children – a motivation that is expressed, when the occasion requires, and no morally irrelevant obstacle prevents, in voluntary actions that are caring of them, but which involve no further merit or obligation of their own.¹⁷

It has been very common to internalize moral admirability completely, detaching it from voluntary actions and outcomes. Such a conception of moral merit makes it hard to explain moral obligations on the voluntary in terms of merit. Such obligations are denied, or turned into a mere way of speaking about the only true obligations, which are on motivation. But there is another effect too. Moral admirability is left looking very unlike admirability in relation to non-moral arts and skills. So the internalizing view of moral merit, though defended by Hume himself, casts doubt on his more fundamental conviction that there is indeed a general appraisive normativity of merit that unites virtue and talent – that unites admirability in relation to morality with admirability in relation to non-moral arts and skills.

It may initially look as though moral admirability really does have nothing to do with voluntary actions and outcomes. Take Mary who is both philanthropically motivated and financially capable of helping others. She uses her great wealth to relieve great poverty. It is very plausible to suppose that had she had the same motivation, but without the wealth, so that she was still as willing to help others, but unable actually to do so, she would have been just as good a person morally. It is Mary's altruistic motivation that makes her the morally good person that she is. The state of her bank account and what depends on that is, by contrast, morally irrelevant. It does then look as though moral admirability lies wholly in a form of inner potential, that provided by motivations to act, and not in what that motivation is a potential for, which is the performance of voluntary action.

Contrast forms of potential outside the will – talents or capacities. Just as virtuous motivations are forms of potential actualized in moral practice, in the successful performance of voluntary actions, so talents are forms of potential actualized in the successful practice of arts or skills, in various forms of achievement. But no one would locate admirability in relation to an art or skill in talent alone. It is just not plausible to claim that Tolstoy's admirability in literary terms has to do simply with his literary potential - that we are to admire Tolstoy simply for his talent, and not for what, on the basis of that talent, he actually wrote. That Tolstoy wrote *War and Peace* is not something that merely evidences what we really admire him for - which is simply possessing the capacity to write such a work. It is not as if Tolstoy would have been as great in literary terms as he actually was, even if he had not actually had the opportunity to write the books he did, but merely possessed, like some 'undiscover'd Milton' the ability to write such works. What we now admire Tolstoy for, and what makes him a great writer, is that he actually wrote *War and Peace* and other famous works.

¹⁶ David Hume, *A Treatise of Human Nature*, ed. P.H. Nidditch (Oxford: Clarendon Press 1978) p575

¹⁷ David Hume, *A Treatise of Human Nature*, ed. P.H. Nidditch (Oxford: Clarendon Press 1978) p478

Moral admirability is left looking very unlike admirability in relation to arts and skills. Moral admirability seems entirely to do with a form of potential, and not with its actualization. But admirability in relation to arts and skills, it very much appears, is rather the opposite. It has to do not so much with potential just in itself, but rather with its actualization.

In fact the two forms of admirability are not so dissimilar as might initially appear. For morality is not concerned simply with an inner disposition of will to the exclusion of any concern with outcomes. Common sense does really take moral worth – personal admirability in moral terms - to be just as much outcome-dependent as admirability in relation to arts and skill. The case rests on what it is about agents that we admire and esteem, or think less of them, *for*. It is clear that we find agents admirable or contemptible for their voluntary actions and the outcomes they manage intentionally to produce on the basis of a motivation or will to do so, as well as for the motivations and dispositions which explain those actions.

Hume thought that the performance of voluntary actions - the deliberate production of outcomes – simply made salient to us what we really admire or disesteem people for, the potential or motivation to produce those outcomes.¹⁸ In Hume's view, where murder is concerned, the murderous outcome simply engages our attention, just as would its spatio-temporal proximity. It is really the murderous disposition that we think badly of the murderer for. But this is not plausible. It is perfectly true that when we feel outrage at the neighbourhood murderer of the moment, we are not outraged at them for committing murder *nearby* and *recently*. The spatio-temporal proximity of the murder does indeed simply make it salient, without having anything to do with what we morally evaluate the agent for. But the murder itself is quite different. We are definitely outraged at the murderer *for committing murder*. The murder is certainly part of what we are outraged about.

And this disesteem in which we hold murderers for having murdered is equally plainly moral. It involves and depends on our thinking of the murderers as people who are morally bad. We are outraged at murderers not simply for having killed, but for having killed for their own ends, and in the knowledge that their actions would indeed be fatal. We are outraged at murderers, after all, for being murderers - and not simply for being active links in fatal causal chains. The low worth or disestimability of murderers is outcome-dependent. It comes from their actually having murdered. But it is a specifically moral disestimability too.

As for moral badness, so for moral goodness. We feel more admiration for Mary, who is a successful philanthropist and benefactor, than we do for Frieda who means to benefit others, but never has the resources and organisational talent to do so. But this is not simply a fact about our strength of feeling - something which can be explained by the mere fact that, thanks to her actually having benefitted many, we are more struck by Mary's virtue. For it cannot be true that in our considered judgment, Mary and Frieda are equally admirable. And that's because there is a property of Mary which we admire Mary for having, and which Frieda lacks - a property which must therefore make Mary the more admirable in our eyes. This is the property of having benefitted many people out of charity. Our greater admiration for Mary takes the form of admiring her, not simply for having a charitable disposition - a disposition which Frieda shares - but for having benefitted so many people. And this Frieda has not done.

¹⁸ See again Hume *Treatise*, p575

Our admiration of Mary, then, is admiration of her for her performance of a voluntary action. It is admiration for what she has done. But this same admiration may also be unambiguously moral. Our admiration of Mary for what she has done can also involve and depend on our thinking of Mary as morally good. For example, we might well cease to admire Mary for helping so many if we learnt that her real motive for so doing had been entirely self-regarding - that her real motive for her charity had been to perpetuate the political dependence of the poor on the rich. In which case, for as long as we do admire Mary, we are admiring her, not simply for having benefitted so many people, but for having benefitted these people out of a genuine regard for their interests. In admiring Mary for what she has done, we are also admiring her as someone who is morally good.

We admire agents for their voluntary actions and the outcomes which those actions produce, as well as for their motivations. And this admiration can perfectly well be moral. It can perfectly well involve and depend on our thinking of the agent as morally good. But, at the same time, it does appear, as we have already noted, that we also ignore voluntary actions and outcomes in our estimates of moral worth. Supposing the philanthropist Mary does actually benefit many. Won't we say that had she been bankrupted before she could actually help anyone, or if there had been no one around actually needing help, she would still have been no worse morally as a person? Don't we think that how morally good Mary is can't depend on how rich she is? Mary's moral worth must, after all, be independent of whether or not she actually helps anyone.

There may appear, then, to be an inconsistency in our belief about moral worth. We both believe that people's moral worth depends on what voluntary actions they perform and what outcomes they produce; or at any rate we accord people moral esteem and admiration on a basis which implies such a dependence. Yet we also *say*, and presumably really believe, that how morally good someone is as a person is independent of factors such as their wealth or their strength - and so, it follows, must be independent of what outcomes they produce.

In his 'Moral luck' Thomas Nagel has suggested that our conceptions of moral admirability and worth do involve a contradiction – a contradiction that reveals an inconsistent commitment to a form of Kantianism about morals. In morality we treat the moral life as independent of luck – as if lived in a noumenal realm independent of features beyond our control. So, in particular, moral worth must be independent of what outcomes we actually manage to bring about. Yet at the same time we recognize that our moral life is radically dependent on luck, so that our worth in moral terms does after all reflect what we actually bring about, such as whether we actually save people or kill them. For as moral agents we live in a causally structured, spatio-temporal phenomenal world, where all that we are and do radically depends on luck.¹⁹ Call this Nagel's *inconsistency thesis*.

¹⁹ I believe that in a sense the problem has no solution, because something in the idea of agency is incompatible with actions being events, or people being things. But as the external determinants of what someone has done are gradually exposed, in their effect on consequences, character, and choice itself, it becomes gradually clear that actions are events and people things. Eventually nothing remains which can be ascribed to the responsible self, and we are left with nothing but a portion of the larger sequence of events, which can be deplored or celebrated, but not blamed or praised. Thomas Nagel in 'Moral luck', in *Mortal Questions*, (Cambridge University Press, 1991) p37

But our thinking about people in relation to outcomes need involve no inconsistency in our thought, still less one that peculiarly involves morality. To see this, consider how we evaluate people in terms of some non-moral art or skill, be it writing novels, doing mathematics, or high wire walking. Whatever the art, the important point is that, when evaluated in terms of it, people's measure can be taken in two different ways. People can be found admirable for their talent in the art; or they can be found admirable for their achievement in it.

Take mathematics, for example. We might admire a child for her great mathematical talent. That admiration will generally be based on a successful performance of course - doing long division aged four, say. But that sort of performance interests us mainly as a sign or symptom of what we really admire the child for - possessing a talent for doing more. (If we didn't take what the child has done to be such a sign, then we should regard her very differently - rather as we might an idiot savant.) Or, by contrast, we might admire an older mathematician just for what she has done - for something valued as a genuine achievement, as a real contribution to mathematics. We might admire her for having made some important mathematical discovery.

Achievement within an art presupposes some degree of talent. But one's talents and one's achievements need not correspond. A can be a far more gifted mathematically than B. But it is B who applies himself to mathematics, and actually achieves great things in the discipline. Whether through choice or lack of opportunity to do otherwise, A becomes, instead, a beach bum. So not only are there two distinct dimensions in terms of which one can be evaluated in non-moral terms; but the value one has in terms of one dimension can be very different from one's value in terms of the other. And there is no obvious way of compounding the dimensions. Mathematics doesn't provide a single answer to the question of which is the more admirable in mathematical terms, the beach bum genius A or the more plodding but also more achieving B.

So one's worth as a mathematician, or in terms of any other non-moral art, can come in achievement-dependent and achievement-independent forms. The worth one has for what one has achieved is, trivially, a worth that one would not have had but for those achievements; it is of course achievement-dependent. Not so one's worth as a bearer of talent. For talent is a potential which explains achievement, but which can perfectly well be possessed in the absence of the actual achievement which it explains. One's worth as a bearer of talent is worth in achievement-independent form.

It is of course true that were it not for some kind of successful performance which someone's talent explains, we would not admire that person for being so talented. Were it not for the fact that, before our eyes the child has managed to do long division when only four years old, we would not be admiring it for its mathematical talent. But it is still going to be true that what we mainly admire child for is the prodigious talent of which we take doing the long division at so young an age to be a sign. What we admire the child for is what we take to be its evident capacity to contribute to mathematical learning, a capacity which, given motivation, training and opportunity could well lead to such a contribution being made, and which the child would have possessed whether or not this occasion for doing long division had arisen. Whereas by contrast we admire Gauss as the actual discoverer of non-Euclidean geometry - for what he finally achieved - and not simply for possessing the talent which allowed him to make that discovery.

As for mathematics, so too for literature. There is a contrast between our admiration for a child's talent which has been brought to our attention by some precocious school essay, but whom we mainly admire as possessing the potential - given motivation and opportunity - for producing

genuinely valuable literature in the future, and our admiration for Tolstoy, whom we do admire precisely for what he has written. We clearly admire Tolstoy for actually having written *War and Peace*, and not simply for possessing the talent which allowed him to write *War and Peace*.

Some people might be inclined to question whether we do really treat people's talents as a legitimate source of personal worth in themselves. People are admired for their talents, it might be suggested, only in the expectation of achievements arising. What really counts, at least in non-moral arts and skills, is achievement. But this is quite false. People can perfectly well be admired simply for being talented, whether or not their talents will ever be realised in any notable achievement. If someone is sufficiently widely talented, we know perfectly well that not all their talents can be realised in some corresponding achievement. But we find such people more and not less admirable for having so many and varied talents.

In both the mathematical and literary cases, then, we have a distinction between admirability or worth in achievement-independent form, where one is admired for a potential which may well have been evidenced by something one has done, but which one could still have possessed without having done it; and, on the other hand, worth that comes in achievement-dependent form, where one is admired precisely for what one has actually done.

Why can't morality provide an analogous case? Suppose we consider morality as a sort of art, in which virtuous voluntary actions count as achievements, and virtuous motivations or dispositions as a kind of potential for those achievements. The precise characterisation of this morality art might be a matter of debate, and we shall be considering what the morality art involves later. The important point for the moment is that virtuous voluntary actions - helping people out of charity, and so forth - do constitute a form of achievement within the morality art, while the virtuous motivations to perform such actions are supposed to be the analogue in the morality art of non-moral talent. These are a form of potential which explains, but is independent of that action-based achievement.

Just as non-moral achievement is explained by some degree of non-moral talent, so too a virtuous voluntary action is explained by some virtuous disposition to such action. But beyond that, there may be a lack of correspondence between the virtue of one's actions and the virtue of one's dispositions. Frieda may be even more charitably motivated than Mary. Given equal organisational talent and resources, Frieda would give up more of her resources and time, and so help more people than Mary has ever helped. But it is Mary who has the greater resources and organisational talent - and who actually does help people out of her charity. It is Mary who is the great philanthropist.

Merit, personal admirability, has then to do with various kinds of potential, potential that we admire people both for possessing and for actualizing. Arts and skills that we value are bases of merit, but so too is morality. And in each case there is a similar structure. People can be found admirable along two dimensions - both for potential in the form of a capacity or a motivation, and for its actualization in some form of achievement.

The dual structure of personal merit

	potential	actualization
non-moral arts & skills	<i>talent</i>	<i>non-moral achievement</i>
morality	<i>virtuous motivation</i>	<i>virtuous voluntary action</i>

We can see what is wrong with Nagel's inconsistency thesis. Just like merit in relation to arts and skills, moral worth can come in a form that is outcome-independent, but it can take outcome-dependent form as well. This no more involves a Kantian commitment to luck-independence in the moral case than it does with non-moral arts and skills. Merit is an appraisive normativity centred on self-realization that unites morality with non-moral arts and skills. In each case it involves forms of admirable potential the realization of which is admirable in turn.

This resolves the problem of how to accommodate moral obligations on the voluntary. In the moral case each of the admirable potential and its admirable actualization involves states or events susceptible of rational justification – voluntary actions and the motivations to perform them. There can then be a force of justification applying both to potential and its actualization that depends on merit or personal admirability, and in a way that allows us to be subject to the same normative direction in both cases. Voluntary actions can be justified as ones that it would be good of us to perform, just as the motivations to perform them can be justified as ones that it would be good of us to hold.

4. The distinctiveness of the moral

Philippa Foot has argued that Hume was wrong to assimilate virtue to talent. Talents are capacities outside the will itself that we can deliberately refrain from exercising. But virtues by their very nature engage motivation or will. We cannot possess the virtue of justice while deliberately failing to exercise it – while deliberately acting unjustly.²⁰ But perhaps this distinction, while it holds, might not be that ethically significant. For virtue and talent both involve the same phenomenon – self-realization, taking admirable potential to some form of admirable actualization. In the one case the potential is provided by motivation while in the other case it is not. But this distinction between them might not matter for ethical theory. Perhaps it is the common phenomenon of self-realization alone that is of ethical significance; or so the Humean might maintain.

Now there are some possible differences between virtue as motivation-involving and talent as motivation-independent that might matter ethically and that have to do with self-determination. Motivation, we have seen, can be conceived as a locus of self-determination as talent is clearly

²⁰ Philippa Foot, 'Virtues and vices' pp7-8, in *Virtues and Vices*, (Blackwell, 1978)

not. Talents seem in themselves to be passive characteristics. They are often described as *gifts* - features of us that we receive from God or circumstance. And this difference between motivation and talent could obviously matter greatly in moral terms. Hume's assimilation of virtue to talent was in part a rejection of the idea, so central to the natural law tradition, that motivation is a locus of self-determination. For Hume, motivation is as passive as talent. But here we are bypassing the issue of self-determination, and are considering things just at the level of merit, and the way standards of personal admirability apply and are understood in relation to self-realization. Are there ethically significant differences between virtue and talent that can be understood just at this level of merit and its distinction between good and bad?

There is another and contrasting problem, one that has to do not with unearthing real and ethically significant differences between moral and non-moral forms of merit, but with explaining away the illusion of even greater differences than there really are. Even if merit both within and outside morality has turned out to involve the same potential-actualization structure in each case, that is not how it initially seemed.

As we have already noted, no one would naturally suggest that Tolstoy is admirable only for the talent which allowed him to write *War and Peace*, but not admirable for actually having written *War and Peace*. No one would naturally suggest that one's admirability or worth in literary terms depends only on one's talent for writing novels, and can have nothing to do with what novels one actually writes. In fact the bias is quite opposite - to seek to tie admirability in arts and skills not to talent but its actualization in achievement. But with morality there is the opposite bias, to seek to tie moral admirability to potential in a way that is independent of its actualization. We do indeed incline to *say* that moral goodness has everything to do with one's motivations, and nothing to do with what voluntary actions one manages to perform. Do we not characteristically have motivations rather than voluntary actions in mind when we talk, explicitly, of 'how good someone is as a person'? Don't we immediately assent to the claim, of philanthropic Mary, that if she had been less rich, she would have been just as good a person?

In fact, I doubt that ordinary moral thinking does really share, at least whole-heartedly, the philosophical view that moral worth is never outcome-dependent. Perhaps it is true that when talking explicitly of someone's 'goodness as a person' we do tend to have dispositions in mind, and not voluntary actions. But there are other terms used to express what is clearly moral esteem for people as holders of virtuous dispositions, which we are equally ready to use to express what is no less overt moral esteem for them as producers of outcomes. These are virtue terms such as 'kindness', 'charity', 'courage' - terms which quite even-handedly straddle the disposition/voluntary action divide. In one context the most charitable person could be the person who has given the greatest benefit to others out of their charity; in another context, they could be the person with the most charitable disposition. By its use of such terms to express moral esteem, common sense clearly recognises that moral worth can come in either of two forms. In any particular case of their use, only context will sort out which form we are tracking - moral worth in its outcome-dependent or outcome-independent form.

Still, there clearly are opposing biases in the non-moral and moral cases. When initially reflecting on how our intuitions stand, we do tend, as we have seen, to externalize non-moral merit, as if it lay in the actualisation of potential alone. The true merit in arts and skills, we are so ready to say, lies in genuine achievement. Whereas moral merit tends, if anything to be internalized - to be seen as residing in an inner motivation or disposition of the will alone.

Consider first our tendency to externalize non-moral worth, placing it all in achievement, and excluding it from talent. Examining why this happens will shed light on an important difference between merit in its moral and non-moral forms. Consider some non-moral art or skill, such as mathematics. Mathematical talent and mathematical achievement are plainly two quite different things, and matter to us in quite different ways. Mathematical discovery is something which we value, both for its own sake and for its uses; and because we value mathematical discovery, we also admire people for achieving it. Mathematical talent, by contrast, is something quite different from any achievement in mathematics. To possess mathematical talent is not itself to be achieving or discovering anything in mathematical terms; nor is it to be doing anything that matters to us in the same way as actual mathematical discovery. It is just a capacity or potential for mathematical achievement: it is simply that about someone which, given opportunity and motivation, would lead them to make mathematical discoveries. And it is only as such a capacity or potential that it has any significance for us.

So though we also admire people for having this capacity, and admire them for having it whether or not the capacity will ever be fully realized, the value of the capacity itself, though genuine, is nevertheless quite different from the value of achievement. Mathematical talent matters to us simply as something potentially productive of achievement - of mathematical discovery - and certainly not on the same terms as the achievement which it explains. And so for any other non-moral art or skill. Talent in any given art or skill is one thing, and achievement within that same art or skill quite another. The value or significance of the talent is to be explained simply in terms of its being potentially productive of the achievement, and in terms of the value which we attach to that achievement.

Talent is valued or matters to us simply as a capacity for achievement. The point of talent is to produce achievement. Hence, talent which fails to be realized in corresponding achievement is very naturally understood by us as talent which is *wasted*. What has happened to lead us to externalize non-moral merit is that, in what we explicitly say about non-moral merit, we tend to mistake what gives merit its point for what constitutes merit in its true form.

The phrase 'what really matters is achievement' helps explain part of what is going on. In one sense this phrase is true. The whole point of talent is to produce achievement. But it is easy to shift to believing that 'what really matters is achievement' in a second and false sense; as claiming that it is only their achievement that makes people admirable - that achievement is the only basis of personal merit.

But there is no justification for the second belief. As we have seen, talent can still win its possessor admiration even if it will clearly never be realised, and is doomed to be wasted. Nor is there anything the slightest bit incoherent in this. Talents, after all, are admired precisely as capacities for valuable achievement. But a capacity can be a perfectly genuine capacity, a capacity that an agent really does possess, even if it is clear that it will never be realized. Which is why we find the admirability of genius doomed to be snuffed out early particularly poignant. Genuine admirability is denied the realization which would have given it point. Human worth occurs in a form that strikes us as no less genuine than it is destined to frustration.

Moral theorists might be tempted to model morality on the same basis as non-moral arts and skills. The value or significance of the virtuous potential provided by a good motivation or will, on this view, is to be explained in the same terms as that of talent. Voluntary action and its outcomes, on this view, forms the business end of the morality art. Its performance is what morality is all about, just as mathematical knowledge and discovery is what mathematics is all

about. We begin by according value to voluntary actions and outcomes - depending on our precise moral theory, whether as something intrinsically valuable in their own right, or as maximising something else, such as welfare. The significance or value of a virtuous motivation or disposition would then lie, like that of talent, entirely in its constituting a potential productive of such action and its outcomes.

But this view of morality is fundamentally mistaken. A virtuous potential - a virtuous disposition or motivation - matters to us, but not simply as something productive of voluntary action and its outcomes. Rather, a virtuous potential has exactly the same kind of significance - matters to us in exactly the same way - as the voluntary action it explains.

Consider Mary, the great philanthropist, who has managed to help many people out of a genuine regard for their interests. Now Mary's successful philanthropy seems to provide a very clear example of what might count as the successful practice of virtue. If there is a moral analogue of successful achievement in mathematics or in other non-moral arts and skills, what Mary has managed to do seems to provide as clear and promising a case as any. Mary's success in moral terms involves, first, her actually managing to serve the interests of others. She has helped many people. But not only has she helped many people, she has also provided the help out of the right, virtuous motivation. Mary has helped many people out of a genuine concern for the people she has helped.

But notice that Mary's motivation is not simply a means to something else which is what really matters and which is quite distinct - people being benefitted. Mary's motivation is an important constituent of the benefit which she provides. True, part of the way in which Mary serves the interests of others is through the outcomes which her motivation effects. She actually brings others material benefits. But there is another way in which Mary serves the interests of others. And this is simply through possessing the charitable motivation which disposes her to help them. Mary also benefits others simply through her concern for them - through having adopted their good as her end.

For those whom Mary helps have an interest just in being objects of such concern. We each have an interest in living in a community in which some other people at least are genuinely concerned for us. This interest is as real as any interest which we might have in the voluntary actions and more material benefits such concern might occasionally motivate. It would be utterly desolating *in itself* to realise that no one else had any concern at all for us - that there is simply no one else at all to whom we count as anything more than a mere means to their own selfish ends.

Non-moral arts or skills are characterised by a sharp distinction of value or significance between achievement and talent: achievement has its value, and then talent matters as a potential productive of achievement. But morality is importantly different. Though, like any non-moral art or skill, it is a mode of evaluating people as agents, and though it likewise allows merit to be assigned along a dual structure - both for a virtuous potential, and for action which that potential explains - the potential and its realization matter to us in the same way.

If morality is a sort of art or skill, it is not, I suggest, just an art in which we perform desirable voluntary actions or produce beneficial outcomes. For people are not admired morally simply for the voluntary actions and outcomes their motivation brings about. They are admired for bringing the outcomes about out of appropriate motivations - motivations such as charity or a sense of justice that constitute due regard and respect for the interests of others. But the

emphasis which morality places on virtuous motivation is not arbitrary. Motivation matters morally because it matters to others in the same way as the outcomes which it explains.

The morality art is the art of serving other people's interests, to the degree and in the ways that circumstances require, out of a regard for those other people. And that is an art we successfully practice at the level of potential, simply by living amongst other people while being virtuously disposed towards them. For everyone has an interest in living among people who have virtuous dispositions - who have a genuine concern and respect for other people. Everyone has an interest in living amongst people who are genuinely loving and just. No one's interests lie simply in the further benefits which, through their actions, loving and just people are motivated to provide.

A virtuous voluntary action is a morally admirable combination of motivation and outcome; a virtuous disposition is just what that motivation alone can provide, failing the occasion and outcome which the voluntary action requires. But thanks to that motivation alone, and even in the absence of the voluntary action which it would explain, we are still meeting the interests of others. Our virtuous dispositions ensure that others live in a community where, whatever else may happen, they are at least respected and loved.

The possession of a virtuous motivation itself has value - and has it in the same way as the voluntary action which it motivates. Unrealised talent is wasted. But a virtuous potential - such as a charitable motivation - is not wasted simply because no one actually needs to be helped through charitable action. The virtuous potential is already serving its purpose in moral terms by being possessed by someone living in community with others. For virtue is already taking a form that is effective - that helps constitute a community whose members serve each other's interests out of genuine regard or concern for each other. Mary is a success in moral terms because, both through her motivations and her voluntary actions, she has played her part in realizing such a community. Mary's virtuous dispositions not only make her morally admirable just as do the virtuous actions which they explain; they matter or have significance on the same terms. Mary is already serving the interests of others through her charitable motivations alone.

The morality art is the art of realizing a genuinely moral community - a community whose members flourish through the motivations of others. It is the value or good of such a community which gives morality its point. And that good does not consist in voluntary actions and outcomes alone, but has the motivations which produce those outcomes as a direct constituent. The ends to which morality directs us involve certain motivations - those that leave us counting as morally good rather than bad - as a component, and not merely as a means.

There are then two distinct ways in which it is true that morality calls us to be good rather than bad. The first has to do with the force of moral justification, which is that of merit. To disregard moral justifications is to be bad rather than good. The second has to do with the goals or ends aimed at in moral practice, and to which morality directs us with the force of merit. These involve as constituents the very motivations that are essential to merit in its moral form. To disregard moral justifications is not just to lack motivations that would be instrumental to moral success. Such a disregard of moral justifications is itself constitutive of moral failure, just as to be moved by moral justifications is in itself to succeed in moral terms.

Consider now our tendency to internalize moral worth - our tendency to say that moral worth is determined by motivation alone and to the exclusion of outcomes. This has to do with the importantly different significance within morality of the distinction between merit and demerit

– between good and bad. To be morally bad and to be bad at an art or skill are indeed forms of personal demerit. But they are forms of demerit with very different implications. And these very different implications are bound up with the fact that moral goodness or virtue has to do with the disposition of one's will. For with that disposition comes personal commitment – to a party or allegiance.

The evaluations which we use to convey the force of moral justification are also used by us to convey people's commitment. For in morality there is a real opposition between *good* and *bad*. The difference between good and bad is not just a difference between succeeding in moral terms and failing. It is a difference between two parties. It is a difference between two opposing allegiances. To be good is to be allied with those who respond to morality's demands, and who are even prepared to go beyond them. And to be bad is to be allied with those prepared to disregard and breach morality's demands.

To be bad at an ordinary art or skill is typically a way of not counting in the art's terms. One fails to contribute, and that detracts from one's significance as a player. But to be morally bad is quite different. To be morally bad is not to fall contemptibly off the moral map. One is not off the map, but fully on it - on the wrong side. To be bad is to be a significant ethical player, but in the party opposed to good. The difference between good and bad is a difference between two morally significant but contrary commitments. To be bad is not simply to fail, but to be committed to a side - the wrong side. That is why, in the moral case, a certain kind of potential - the disposition of one's will - assumes such significance. For the direction and measure of one's commitment depends on that disposition of will.²¹

Alongside differences in outcomes there can be a shared moral commitment to good or bad. Murderers who succeed and aspirant murderers who fail share the same disregard of moral justifications on the side of bad. Hence we reserve a form of moral evaluation to communicate this fact. We observe that the successful murderer would have been 'no morally better as a person' if his attempt had failed. By this we mean that his moral allegiance or commitment would have been the same. He would have shown the same indifference to morality's demands.

Likewise, we resist the idea that successfully philanthropic Mary is a morally better person than Frieda, who is at least as motivated to help but lacks the resources to do anything. For Frieda is just as responsive to, indeed just as prepared to go beyond, what morality requires as Mary. As much as Mary, Frieda is just as motivated to help. In our explicit estimations of 'how good a person someone is', we attend simply to how far people's disposition of will leaves them sharing with others an allegiance to good.

It is our concern with moral commitment and allegiance which leads us to emphasize merit at the point of moral potential – at the point of motivation or will. In our explicit assertions of how morally good or bad people are in moral terms - as we sometimes put it, of how *moral* they are - we report moral admirability in the form which reflects that basic commitment to good or bad. So we internalize merit in its moral form - give preference to outcome-independent

²¹ It may add to the significance of one's commitment or allegiance if it is self-determined – if the commitment arises as one's own free doing. But allegiance or commitment can be conceived as ethically significant apart from the issue of self-determination, just at the level of merit – as changing the terms in which the nature of badness and its distinction from goodness is understood. One can be allied to the bad, whether or not one has determined that commitment for oneself.

moral worth as the explicit measure of how *moral*, or *morally good* someone is – not because we exclude luck from morality, but because of our concern with moral allegiance. For it is moral worth in this wholly motivation-dependent form which determines someone's commitment to good or to bad.

Let me emphasize that the idea of two parties, of good versus bad, does not imply that there is a single overall membership of one party or the other which each person has. Just as we saw that there may be no measure of how good or bad someone is overall, so that person may be allied to good in some of their actions, allied to bad in others; and in some matters, their allegiance may be undetermined and unclear. Many blanket condemnations of people as bad should really be understood as limited to a certain context. Someone is described by us as thoroughly bad - but only because they have cheated on a business-deal and we are business-people. It may only be in that area of their life that they have allied themselves with the bad. In other areas of their life they could be very much allied to the good, with no possibility of, or point to determining an overall commitment or allegiance.

5. Conclusion

Moral normativity is directive. But the way it is directive cannot be modelled by appeal to reason and rational directivity considered on their own and apart from any specifically moral form of appraisal of people and what they do. Hume was entirely right that moral normativity is in its foundation a normativity of personal merit. Had Hume only retained a serious theory of intentionality – of psychological attitudes with content, directed at justification-providing objects of thought – he could have done justice to normative direction without prejudice to the doctrine that it is merit that is fundamental. He could have characterised this normative direction as a form of reason, but carrying the force of merit. Hume's failure to leave room for normative direction should not discredit his essential insight – that the call of moral standards on us is fundamentally a call to be good rather than bad.

Hume also failed to understand that virtue, though sharing many features with talent, is still different in ways that are ethically significant. But these differences are differences within a shared framework of merit in relation both to potential and its realization – a shared framework that allows for reason to direct both motivation and voluntary action with the force of merit.

The differences have to do with the way the practice of morality comes with human nature itself. Participation in many arts and skills can be thrust on us by circumstance, or it can similarly be blocked. It may also be left to our choice. Morality, by contrast, is an art or practice that we cannot avoid, but which involves us just through our living with and responding to other humans as our fellows. Successful moral practice consists in our being admirable as human beings, and involves our motivations as much as their expression in voluntary action. Motivation apart from voluntary action is not the same as talent on its own; it is not a form of potential disengaged from practice. Nor does moral demerit detach us from being significant participants in moral life. Morality is not a practice where being bad at it leaves us negligible in its terms. Badness involves us just as significantly in the moral life as does goodness. It leaves us committed to the side of wrong. And while we live among humans as our fellows, some such significant commitment, to good or to bad, is inevitable, along with participation in morality itself.